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Attorneys for Plaintiff Hudson Insurance Company

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

HUDSON INSURANCE COMPANY, a
Delaware corporation,

Plaintiff,

v.

VOLANTE MOTORS, LLC, an Oregon limited
liability company; VINCENT MCKOWEN, an
individual; UNITED FINANCE CO., an Oregon
corporation; UNITED AUTO CREDIT
CORPORATION, a California corporation;
CIG FINANCIAL, LLC, a California limited
liability company; LOBEL FINANCIAL
CORPORATION, a California corporation; and
TRAILHEAD FEDERAL CREDIT UNION, an
Oregon corporation,

Defendants.

Case No. 3:18-cv-00622-MO

ORDER OF INTERPLEADER

This matter came before the Court on Plaintiff Hudson Insurance Company's ("Hudson") Unopposed Motion for Order of Interpleader (the "Motion"), which Motion sought to discharge and exonerate Hudson and the Motor Vehicle Dealer's Surety Bond No. 10046713 posted by Hudson, as surety, on behalf of Volante Motors, LLC, as

principal (the "Bond"), and to protect Hudson from further claims against the Bond, and for award of Hudson's costs and attorney fees from the interplead proceeds; the Court having reviewed the files and records herein, as well as Hudson's Motion, the supporting memorandum, and the Declaration of Mario R. Nicholas in support thereof, and the Court otherwise being informed, now, therefore:

IT IS HEREBY ORDERED, as follows:

1. Hudson's Motion is granted.
2. Hudson is discharged and exonerated from all claims and liability that arise in any manner related to the Bond; all pending claims against Hudson in this matter that arise out of or relate to the Bond are hereby dismissed with prejudice; all claims that may or could have been made against Hudson and all judgments that were or could have been entered in connection with the Bond shall be satisfied from the proceeds of the Bond Proceeds tendered into the Court registry, and Hudson shall not be liable for any amount in excess of the amount herein interplead;
3. All persons are enjoined and restrained from filing or prosecuting any suit, action, in state or federal court, or other claim or judgment against Hudson on account of its obligations under the Bond.
4. Hudson shall be allowed to recover from the Bond proceeds the sum of \$3,125.00, as costs and attorney fees reasonably incurred in connection with this interpleader action, and as a *partial principal* withdrawal of the \$40,000.00 previously deposited with the Court. The clerk of the court is hereby directed to disburse from the registry of the Court, the sums awarded to Hudson. The check shall be sent to Hudson in care of Jan D. Sokol, Stewart Sokol & Larkin, LLC, 2300 SW First Avenue, Suite 200, Portland, Oregon 97201.
5. All rights of subrogation and indemnity under the terms of the Bond and the indemnity agreement held by Hudson are specifically reserved for the benefit of

Hudson and are not waived, released or discharged hereby; Hudson' indemnity claim shall be resolved by separate motion and order.

6. If the amounts disbursed to the defendants to the interpleader action are less than the Bond proceeds tendered to the Court, then the Court will return such undisbursed Bond proceeds to Hudson.

* * * * *

The Clerk of Court, through the Financial Administrator, has pre-approved the form of this Order pursuant to Local Rule 67-3(b).

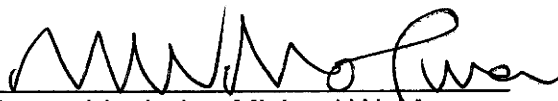
The Clerk of Court is absolved of any liability by compliance with this Order.

It shall be counsel's responsibility to confirm that any action required of the Clerk of Court or his designee by this Order has been performed.

* * * * *

IT IS SO ORDERED.

DATED this 29 day of June, 2018.


Honorable Judge Michael W. Mosman
Chief District Judge, U.S. District Court,
District of Oregon

SUBMITTED BY:

s/ Mario R. Nicholas
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For Court Use Only

APPROVED AS TO FORM:

Mary L. Moran, Clerk of Court



By: Financial Administrator